

**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 17-25 are pending in this application. Claims 17, 24, and 25, which are independent, have been amended. Claims 1-16 have been canceled without prejudice or disclaimer of subject matter. Applicant reserves the right to pursue these claims in one or more divisional applications. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

**II. REJECTIONS UNDER 35 U.S.C. § 112**

Claims 17-25 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. The claims have been amended, obviating this rejection.

### III. REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 17-25 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 4,870,576 to Tornetta, et al.

Independent claim 17, recites, *inter alia*:

“...wherein said inheritance information is behavioral data of a self-controlling robot, which includes data that remains constant as the self-controlling robot ages and learns and includes replacement data as the self-controlling robot ages and learns,

wherein replacement data replaces existing data as the self-controlling robot ages and learns...” (emphasis added)

As understood by Applicant, U.S. Patent No. 4,870,576 to Tornetta, et al.

(hereinafter, merely “Tornetta”) relates to a system for locating real estate properties to potentially be purchased using a graphical locator interface with permits the definition of certain desired criteria.

Applicant submits that nothing has been found in Tornetta that would teach or suggest the above-identified features of claim 17. Specifically, Applicants submit that Tornetta fails to teach or suggest that said inheritance information is behavioral data of a self-controlling robot, which includes data that remains constant as the self-controlling robot ages and learns and includes replacement data as the self-controlling robot ages and learns, wherein replacement data replaces existing data as the self-controlling robot ages and learns, as recited in claim 17.

Therefore, Applicant submits that claim 17 is patentable.

For reasons similar to those described above with regard to independent claim 17, amended independent claims 24 and 25 are also believed to be patentable.

#### IV. REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 17, 19-23 and 25 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,160,986 to Gabai, et al.

Independent claim 17, recites, *inter alia*:

“...wherein said inheritance information is behavioral data of a self-controlling robot, which includes data that remains constant as the self-controlling robot ages and learns and includes replacement data as the self-controlling robot ages and learns,

wherein replacement data replaces existing data as the self-controlling robot ages and learns...” (emphasis added)

As understood by Applicant, U.S. Patent No. 6,160,986 to Gabai, et al.

(hereinafter, merely “Gabai”) relates to toy having a fanciful physical appearance and including at least one audio transducer, and a toy transceiver communicating with the audio transducer. The toy also includes a user input receiver, a user information storage unit storing information relating to a user's preferences received from a user via the user input receiver and relating to a user; a computer transceiver; a speech recognition unit receiving speech inputs from the user; and an interactive content controller employing the information relating to the user's preferences received via the user input receiver and stored in the user information storage unit and also employing the speech recognition output for providing interactive audio content to the user at the toy.

Applicant submits that nothing has been found in Gabai that would teach or suggest the above-identified features of claim 17. Specifically, Applicants submit that Gabai fails to teach or suggest that inheritance information is behavioral data of a self-controlling robot, which includes data that remains constant as the self-controlling robot ages and learns and

includes replacement data as the self-controlling robot ages and learns, wherein replacement data replaces existing data as the self-controlling robot ages and learns, as recited in claim 17.

Therefore, Applicant submits that claim 17 is patentable.

For reasons similar to those described above with regard to independent claim 17, amended independent claims 24 and 25 are also believed to be patentable.

## V. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 17-25 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,594,649 to Sadakuni.

Independent claim 17 recites, *inter alia*:

“...wherein said inheritance information is behavioral data of a self-controlling robot, which includes data that remains constant as the self-controlling robot ages and learns and includes replacement data as the self-controlling robot ages and learns,

wherein replacement data replaces existing data as the self-controlling robot ages and learns...” (emphasis added)

As understood by Applicant, U.S. Patent No. 6,594,649 to Sadakuni (hereinafter, merely “Sadakuni”) relates to modifying behavior of a device based on the device's experience. The device includes a sensing unit for sensing signals, a concern-generating unit programmed to generate concern-parameters, an emotion-generating unit programmed to generate emotion-parameters, and an actuating unit for actuating the device. When the device is in a situation, the device extracts memory relevant to the situation to obtain concern-parameters previously generated in the situation. The behavior of the device is regulated by concern-parameters in the memory and emotion-parameters generated based on the concern-parameters, and accordingly, the device can modify or improve its behavior.

Applicant submits that nothing has been found in Sadakuni that would teach or suggest the above-identified features of claim 17. Specifically, Applicants submit that Sadakuni fails to teach or suggest that said inheritance information is behavioral data of a self-controlling robot, which includes data that remains constant as the self-controlling robot ages and learns and includes replacement data as the self-controlling robot ages and learns, wherein replacement data replaces existing data as the self-controlling robot ages and learns, as recited in claim 17.

Therefore, Applicant submits that claim 17 is patentable.

For reasons similar to those described above with regard to independent claim 17, amended independent claims 24 and 25 are also believed to be patentable.

## **VI. DEPENDENT CLAIMS**

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

## **CONCLUSION**

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,  
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